

TOWN OF ESSEX
LAND USE APPLICATION
PART ONE

PLEASE CHECK THE APPROPRIATE LINE(S) AND ATTACH THE APPROPRIATE APPLICATION(S):

SPECIAL EXCEPTION	_____	VARIANCE/ APPEAL	_____
SITE PLAN REVIEW	_____	APPROVAL OF LOCATION	_____
INLAND WETLANDS PERMIT	_____	REGULATION TEXT AMENDMENT	<u> X </u>
INLAND WETLANDS PERMIT - AGENT APPROVAL	_____	ZONE CHANGE	_____
	_____	COASTAL SITE PLAN REVIEW	_____
WETLAND PERMIT TRANSFER	_____	MODIFICATION OF PRIOR APPROVAL	_____
SUBDIVISION / RESUBDIVISION	_____	SPECIAL FLOOD HAZARD AREA PERMIT	_____

PROJECT DESCRIPTION:

My client, 35 Industrial Park, LLC, C.J. Bardy & Erik Schafer, principals, have a written purchase/option for 35-41 Industrial Park Road, former APCO Products building. They plan and have built in other Connecticut towns, climate controlled self-storage to be wholly contained within the existing building.

PROJECT NAME: Renovations to create climate controlled self-storage facility in Essex Industrial Park

STREET ADDRESS OF PROPERTY 35-41 Industrial Park Road

ASSESSOR'S MAP 44 LOT 019 / 6 LOT SIZE N/A DISTRICT LI

APPLICANT 35 Industrial Park LLC, C.J. Bardy & Erik Schafer, Principals
c/o Agent below PHONE 203-554-0536

APPLICANT'S AGENT (if any) Attorney Robert Avena, Suisman Shapiro Law Firm
P.O. Box 1445, Pawcatuck, CT 06379 PHONE 860-650-8008

ENGINEER.SURVEYOR/ARCHITECT N/A
PHONE N/A

Note:

1) TO BE ACCEPTED BY THE LAND USE OFFICE. THIS APPLICATION MUST BE COMPLETED, SIGNED, AND SUBMITTED WITH THE REQUIRED FEE(S) AND MAP(S) PREPARED IN ACCORDANCE WITH THE APPLICABLE REGULATIONS.

2) THE SUBMITTAL OF THIS APPLICATION CONSTITUTES THE PROPERTY OWNER'S PERMISSION FOR THE COMMISSION OR ITS STAFF TO ENTER THE PROPERTY FOR THE PURPOSE OF INSPECTION.

3) I HERBY TO PAY ALL ADDITIONAL FEES AND/OR ADDRESS SUCH COSTS DEEMED NECESSARY BY THE LAND USE OFFICE AS DESCRIBED IN PART THREE OF THIS APPLICATION.

ORIG

TOWN OF ESSEX
Zoning Commission
Essex Town Hall, 29 West Avenue
Essex, Ct 06426

Petition for a Text Amendment of Zoning Regulations
OR
Petition for a Change to the Town's Zoning Map
PART TWO

Signature of Property Owner :
Or Petitioner

→ Darshan LLC (OWNER)
Morton F. Reil, Member

Address:

PO Box 236
Essex, CT 06426

Application #

20-10 Date of Receipt Fri, Sept 18, 2020

The undersigned request a text amendment to the Essex Zoning Regulations.

This petition requests a change in zoning regulations and there is attached:

- 1) A full text of the proposed change in the zoning regulations clearly indicating existing provisions to be repealed and the new provisions to be enacted.
- 2) A complete and comprehensive statement of the reasons for any proposed changes, including any special interest the Petitioner(s) may have in such change, is attached.

[] This petition requests a change to the Town's Zoning Map and there is attached:

- 1) A map clearly showing the area to be re-classified and specifying the present classification and proposed new classification with existing and proposed boundaries.
- 2) A list, keyed to the map, of the names and addresses of the record owners of and within the area to be affected, and within 500 feet outside the area to be affected by such reclassification, and
- 3) A complete written description, by metes and bounds or courses and distances, of the location of any new zoning district boundary or boundaries proposed.

ATTACHMENT 1

EXISTING:

90A.1. GENERAL PRINCIPAL USES. The following principal uses and buildings which do not exceed a total of 3,500 gross square feet of combined building and outside storage area for new construction on a vacant lot or an increase in any five year period of 2,500 square feet or 15%, whichever is less, for existing buildings and outside storage, and which are in compliance with Sections 90B (as to Uses) and 90C (as to Buildings) hereof, are permitted when authorized by a zoning permit granted by the Zoning Enforcement Agent pursuant to Section 121 of these regulations:

- (A) Corporate headquarters, non-retail financial institutions, and business and professional offices. Required off-street parking shall be located to the side or rear of the principal building on the lot.
- (B) Publishing, printing, photo-engraving, and bookbinding, blueprinting and similar graphic reproduction service;
- (C) Wholesale distributing establishments and storage warehouses excluding self storage facilities;

PROPOSED:

90A.1 (C) "Wholesale distributing establishments and storage warehouses excluding self-storage facilities, unless housed in an existing building with a maximum of one loading dock access and the minimum number of access and egress doors required by the state fire code."

ATTACHMENT 2

The petitioners have applied for a zone regulation amendment in the light industrial (LI) zone in the Town of Essex. The zone includes a number of light industrial uses, including storage warehouses and wholesale distributing establishments but a phrase was added to the uses described, which specifically excludes “self-storage facilities”. Research conducted with the assistance of the Town Zoning Office has failed to locate any historical evidence of when and why this particular exclusion was added to the zoning regulations. The petitioners have a particular interest in investing in Essex real estate and have a real estate contract and option to substantially renovate a building in the LI zone to house a self-contained, climate controlled, self-storage facility. The petitioners have an outstanding record of establishing such facilities in other local Connecticut towns.

The petitioners’ parking requirements are minimal and their sites resemble any other existing warehouse facility in the local area and blend in with similarly industrially zoned buildings.

Within the Essex Plan of Conservation and Development (POCD), several sections refer to ensuring that future development occurs within existing developed and impervious areas. (See page 11 of Town of Essex POCD). On page 18, the POCD recommends that future development continues to include redevelopment of underutilized properties within the existing core areas of Town and intensification of activity within these areas. The petitioners will be substantially renovating a subject property within the existing LI zone and within the existing building. On pages 38 and 68 of the POCD, one recommendation is to help encourage and enable redevelopment of existing buildings and expand allowable uses. Overall, the petitioners submit that the Essex POCD is consistent in envisioning viable, acceptable uses within the existing LI zone to assist existing industrial buildings to upgrade and continue to be future taxable real estate assets to the Town of Essex.